

# Exhibit

1

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

---

**JAMES SELBY,**

**Plaintiff,**

**vs.**

**CITY OF UTICA, MARK WILLIAMS, Chief of Police  
for the Utica City Police Department, OFFICER  
MICHAEL P. CURLEY, OFFICER  
DAVID V. SINGE, INVESTIGATOR MARK FIELDS,  
SERGEANT DAVID MATRULLI and  
OFFICER MICHAEL PETRIE,**

**Defendants.**

---

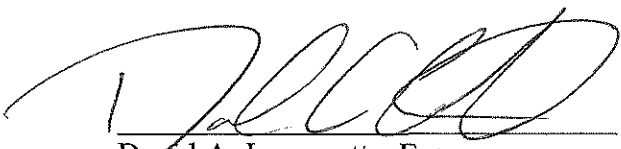
**STIPULATION OF  
DISCONTINUANCE**

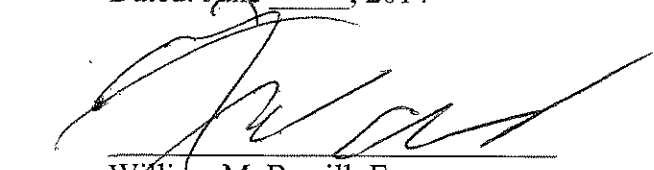
**Civ. No. 6:13-cv-1255  
(FJS-ATB)**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, pursuant to FRCP 41, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is **discontinued and dismissed with prejudice**, without costs, including but not limited to attorneys fees, to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

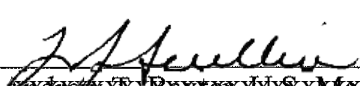
Dated: ~~June~~ <sup>July</sup> 1, 2014

Dated: ~~June~~ <sup>July</sup> 1, 2014

  
\_\_\_\_\_  
David A. Longheretta, Esq.  
*Attorney for Plaintiff*  
298 Genesee Street  
Utica, NY 13502  
(315) 735-6162

  
\_\_\_\_\_  
William M. Borrill, Esq.  
Corporation Counsel  
By: Zachary C. Oren, Esq.  
Assistant Corporation Counsel  
*Attorneys for Defendants*  
1 Kennedy Plaza  
Utica, New York 13502  
(315) 792-0171

SO ORDERED:

  
\_\_\_\_\_  
Honorable ~~Andrew T. Baxter, U.S. Magistrate Judge~~ Frederick J Scullin  
U.S. District Court N.D.N.Y.

Date: July 3, 2014